

EXHIBIT 2

Nortey, James A.

From: David Cohen <david@davidrcohen.com>
Sent: Wednesday, February 12, 2020 7:36 PM
To: Moore, Kelly A.; Peter H. Weinberger
Cc: pmougey@levinlaw.com; MPifko@baronbudd.com; Paul Farrell
(Paul@GreeneKetchum.com); do Amaral, Paulina; Rice, Joe; hunter@napolilaw.com;
'WML@LanierLawFirm.com'; dmigliori@motleyrice.com; 'xALLDEFENDANTS-MDL2804-
Service@arnoldporter.com'; 2804 Discovery, MDL
Subject: Re: Rite Aid's Motion to Dismiss for lack of personal jurisdiction

[EXTERNAL EMAIL]

External E-mail

Thanks for copying me on your mutual attempts to get the other side to stand down. As you remain basically where you were two days ago, I reiterate what I wrote then:

Plaintiffs will be allowed to undertake jurisdictional discovery and then the Court will receive a response and reply.

Please confer and present a proposed plan for this to occur (meaning, scope of discovery and deadlines). I imagine that the necessary discovery need not exceed a small handful of depositions and interrogatories. The Court will accept any reasonable plan.

I look forward to receiving by the end of the week a joint proposed order with discovery scope, discovery deadlines, and briefing deadlines.

-d

This email sent from:
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From: Moore, Kelly A.
Sent: Wednesday, February 12, 2020 4:34 PM
To: Peter H. Weinberger ; David R. Cohen (David@SpecialMaster.Law)
Cc: pmougey@levinlaw.com ; MPifko@baronbudd.com ; Paul Farrell (Paul@GreeneKetchum.com) ; do Amaral, Paulina ; Rice, Joe ; hunter@napolilaw.com ; 'WML@LanierLawFirm.com' ; dmigliori@motleyrice.com ; 'xALLDEFENDANTS-MDL2804-Service@arnoldporter.com' ; 2804 Discovery, MDL
Subject: RE: Rite Aid's Motion to Dismiss for lack of personal jurisdiction
Dear Special Master Cohen:

Plaintiffs apparently believe they currently possess evidence that Rite Aid Corporation's motion to dismiss for personal jurisdiction is frivolous. While we obviously disagree, in light of that position, we see no basis for an argument on their

part that they would need any discovery to respond to the motion. The original date for them to respond under the local rules was January 22. We are now 21 days past that date. Respectfully, we ask that you set the date for their response for two weeks from now - February 26, 2020.

Respectfully,

Kelly Moore

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-----Original Message-----

From: Peter H. Weinberger
Sent: Monday, February 10, 2020 6:03 PM
To: Moore, Kelly A. ; David R. Cohen
Cc: pmougey@levinlaw.com; MPifko@baronbudd.com; Paul Farrell (Paul@GreeneKetchum.com) ; do Amaral, Paulina ; Rice, Joe ; hunter@napolilaw.com; 'WML@LanierLawFirm.com' ; dmigliori@motleyrice.com; 'xALLDEFENDANTS-MDL2804-Service@arnoldporter.com' ; 2804 Discovery, MDL
Subject: Rite Aid's Motion to Dismiss for lack of personal jurisdiction

[EXTERNAL EMAIL]

Dear Ms. Moore:

As you know SM Cohen has asked that we meet and confer to determine what discovery is needed to respond to RAC's motion to dismiss on personal jurisdiction grounds.

Your motion to dismiss claims that RAC has no involvement in opioid dispensing monitoring or operations. Specifically, your motion cites an affidavit of Ron Chima and states as follows:

"RAC is a holding company... And it does not "establish[] national policies and procedures governing the dispensing of controlled substances" that are in turn implemented by its subsidiaries as Plaintiffs now allege without basis. Chima Decl. ¶ 7.

The attached Rite Aid Board Report on Opioids Oversight contradicts that representation. The document clearly states that Rite Aid Corporation and its board are intimately involved in opioid dispensing oversight and risk management. The attached 2018 proxy statement reiterates the same in response to a shareholder request that Rite Aid Corporation take a more active role in opioid dispensing oversight.

If you insist on prosecuting this motion, we will seek Rule 11 sanctions.

Pete

Peter H. Weinberger

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